

California Regional Water Quality Control Board  
Santa Ana Region  
3737 Main Street, Suite 500  
Riverside, CA 92501-3348

**NOTICE OF PUBLIC HEARING**

For  
ORDER NO. R8-2004-0099  
Amending Order No. 00-1, NPDES NO. CA8000027  
for  
Elsinore Valley Municipal Water District  
Regional Water Reclamation Facility  
Riverside County

On the basis of preliminary staff review and application of lawful standards and regulations, the California Regional Water Quality Control Board, Santa Ana Region, proposes to amend the waste discharge requirements for Elsinore Valley Municipal Water District's Regional Water Reclamation Facility to extend the period for implementation of the Lake Elsinore replenishment pilot project from December 1, 2004 to January 28, 2005 or on the day an Order replacing Order No. 00-1 is adopted by the Regional Board. The project includes the discharge of tertiary treated recycled water into the lake.

The Board is seeking comments concerning the proposed amendment to waste discharge requirements and the potential effects of the discharge on the water quality and beneficial uses of the affected receiving waters including Lake Elsinore.

The Board will hold a public hearing to consider adoption of the proposed waste discharge requirements as follows:

**DATE:** December 20, 2004  
**TIME:** 9:00 a.m.  
**PLACE:** City Council Chambers of Loma Linda  
25541 Barton Road  
City of Loma Linda

Interested persons are invited to submit written comments on the proposed Order No. R8-2004-0099. Interested persons are also invited to attend and express their views on issues relating to the proposed Order. Oral statements will be heard, but should be brief to allow all interested persons time to be heard. For the accuracy of the record, all testimony (oral statements) should be submitted in writing.

Although all comments that are provided up to and during the public hearing on this matter will be considered, receipt of comments by November 29, 2004 would be appreciated so that they can be used in the formulation of the draft Order that will be transmitted to the Board two weeks prior to the hearing. The draft Order may contain changes resulting from comments received from the public. To view and/or download a copy of the draft Order, please access our website at <http://www.waterboards.ca.gov/santaana> on or after November 20, 2004.

The Board's proposed Order, related documents, and all comments and petitions received may be inspected and copied at the **Regional Board office, 3737 Main Street, Suite 500, Riverside, CA 92501-3348 ((951) 782-4130** by appointment scheduled between the hours of 9:00 a.m. and 3:00 p.m., Monday through Friday. Copies of the proposed Order will be mailed to interested persons upon request to Jane Qiu (951) 320-2008.

Any person who is physically handicapped and requires reasonable accommodation to participate in this Regional Board Meeting should contact Catherine Ehrenfeld (951) 782-3285 no later than December 3, 2004. Please bring the foregoing to the attention of any person known to you who would be interested in this matter.

California Regional Water Quality Control Board  
Santa Ana Region

December 20, 2004

**STAFF REPORT**

**ITEM:**

**SUBJECT:** Amendment of Order No. 00-1, NPDES No. CA8000027, Waste Discharge and Producer/User Water Reclamation Requirements for Elsinore Valley Municipal Water District – Regional Water Reclamation Facility, Order No. R8-2004-0099

**DISCUSSION:**

On February 25, 2000, the Regional Board adopted Order No. 00-1, NPDES No. CA8000027, prescribing waste discharge requirements (WDR) for Elsinore Valley Municipal Water District's (EVMWD) Regional Water Reclamation Facility, for the discharge of tertiary treated wastewater to Temescal Creek. Order No. 00-1 was amended by Order No. 01-70 to correct some inadvertent omissions.

On January 23, 2002, the Board adopted Order No. R8-2002-0008-A02, amending Order No. 00-1 to authorize the discharge of tertiary treated wastewater from EVMWD's Regional Water Reclamation Facility to Lake Elsinore as part of a two-year lake replenishment pilot project. The pilot project includes the discharge of up to 4480 acre-feet per year of recycled water provided by EVMWD and Eastern Municipal Water District (EMWD), and the discharge of up to 5,000 acre-feet per year of groundwater from three wells located at the east end of the lake. Both EVMWD and EMWD were granted authorization for recycled water discharges to the lake for a two-year period ending on February 1, 2004.

Although implementation of the Lake Elsinore replenishment pilot project was approved by the Regional Board on January 23, 2002, recycled water discharges did not commence until approximately six months later, on June 12, 2002. The delay resulted, in part, from the need to develop and refine an acceptable Lake monitoring program. In addition, per project decision criteria established prior to the commencement of the recycled water discharges, the discharges were suspended on August 2, 2002 due to the high chlorophyll levels measured in the lake. However, high chlorophyll levels were measured prior to the onset of the recycled water discharges and continued high despite the termination of the discharges. Since there was no evident correlation between chlorophyll levels and recycled water discharges, the discharges were resumed in late September 2002. As the result of these circumstances, no recycled water discharges occurred during six to eight months of the authorized pilot project period.

On July 1, 2003, the Regional Board adopted Order No. R8-2003-0067, amending Order No. 00-1 to extend authorization for discharges of recycled water to Lake Elsinore to December 1, 2004. In light of the need to provide a reliable source of water supply to replenish Lake Elsinore, and thereby contribute to long-term water quality and beneficial use improvement in the Lake, EVWMD has requested that authorization for these discharges be extended beyond December 1, 2004 by further amendment of Order No. 00-1. Amendment of Order No. 00-1 would be an interim measure to authorize continued recycled water discharges to Lake Elsinore until such

time as appropriate requirements for such discharges are considered for inclusion in the waste discharge requirements for the Regional Water Reclamation Facility, as described below.

Order No. 00-1 for EVMWD's Regional Water Reclamation Facility will expire on February 1, 2005. Renewal of these waste discharge requirements is expected to be considered at the Regional Board's January 28, 2005 meeting. Board staff will recommend that these requirements include appropriate limitations for discharges of recycled water to the Lake. With respect to the nutrients nitrogen and phosphorus, two constituents of principal concern given the eutrophic nature of the Lake, the proposed limitations will be based on the wasteload allocations and related provisions for recycled water discharges that are specified in the Lake Elsinore Nutrient TMDL. This TMDL establishes schedules for compliance with the wasteload allocations and allows for the implementation of suitable offset programs when compliance with strict numeric limitations based on those allocations is not reasonably feasible.

EVMWD has advised Board staff that compliance with the expected nutrient limitations for recycled water discharges to the Lake may not be feasible and is committed to the development and implementation of an acceptable offset program(s). This commitment will be reflected in the proposed renewed requirements for EVMWD's Regional Water Reclamation Facility. It is expected that implementation of the offset program(s) will be required in accordance with a compliance schedule consistent with the schedules specified in the Lake Elsinore Nutrient TMDL.

By letter dated November 3, 2004, EVMWD has indicated its commitment to offset nutrient inputs that would result from discharges of recycled water that may be authorized beyond December 1, 2004 by further amendment of Order No. 00-1, before the renewed Reclamation Facility requirements can be considered for adoption. The offsets would be based on the difference between actual recycled water quality and the discharge requirements established in the renewed waste discharge requirements as a mass load. The offset "indebtedness" would begin to accumulate upon resumption of recycled water discharges pursuant to extended permit authorization beyond December 1, 2004. This mass load would be offset by EVMWD via a future offset program that is anticipated to be part of a compliance schedule program requirement included in the renewed waste discharge requirements.

Board staff believes that it is appropriate to extend authorization for recycled water discharges to Lake Elsinore by EVMWD, in light of the need for recycled water for lake stabilization and water quality improvement purposes, and in view of EVMWD's commitment to provide an acceptable offset for nutrient inputs resulting from these recycled water discharges. The proposed Order No. R8-2004-0099 would amend Order No. 00-1 to extend authorization for recycled water discharges to Lake Elsinore by EVMWD until such time as the renewed waste discharge requirements for EVMWD's Regional Water Reclamation Facility are adopted. Again, these requirements are expected to be considered on January 28, 2005. The proposed Order also requires EVMWD to implement a program(s) to offset nutrient discharges to the Lake in excess of those that would be allowed pursuant to the wasteload allocations for recycled water specified in the Lake Elsinore Nutrient TMDL

The following show the proposed changes to the Order. Additions are bold and highlighted. Deletions are stricken-out.

1. Provisions Section of Order No. 00-1, modify Provision K. 29. as follows:
  29. This Replenishment Pilot Project terminates ~~December 1, 2004~~ **on January 28, 2005 or on the day an Order replacing Order No. 00-1 is adopted by the Regional Board.**
2. Provisions Section of Order No. 00-1, add Provision K. 30. as follows:
  - 30. EVWMD shall offset total nitrogen and total phosphorus mass discharges into Lake Elsinore in accordance with an offset program(s) and schedule approved by the Executive Officer. The program(s) shall assure the offset of all total nitrogen and total phosphorus mass loads discharged in excess of those allowed pursuant to the recycled water discharge wasteload allocations in the Lake Elsinore Nutrient TMDL. EVMWD shall submit the proposed offset program/schedule by December 6, 2004.**

**RECOMMENDATION:**

Adopt Order No. R8-2004-0099, as presented.

Comments were solicited from the following agencies:

U.S. Environmental Protection Agency, Permits Issuance Section (WTR-5) – Doug Eberhardt  
U.S. Army District, Los Angeles, Corps of Engineers, Regulatory Branch  
U.S. Fish and Wildlife Service - Carlsbad  
State Water Resources Control Board, Office of the Chief Counsel – Jorge Leon  
State Water Resources Control Board, Division of Water Quality- James Maughan  
State Water Resources Control Board, Division of Financial assistance – Diana Robles  
California Department of Health Services, Carpinteria - Jeff Stone  
California Department of Health Services, San Diego – Steve Williams  
State Department of Water Resources - Glendale  
State Department of Fish and Game - Long Beach  
Orange County Water District - Nira Yamachika  
City of Lake Elsinore – City Manager  
City of Canyon Lake – City Manager  
Riverside County Flood Control and Water Conservation District – Jason Uhley  
Riverside County Department of Environmental Health Services – Sandy Bunchek  
Santa Ana River Dischargers Association  
Santa Ana Watershed Project Authority – Joseph Grindstaff  
Montgomery Watson – Jeff Mohr  
Best Best & Krieger LLP - Arthur L. Littleworth  
County of Riverside – Supervisor Bob Buster  
Orange County Coastkeeper – Garry Brown  
Lawyers for Clean Water C/c San Francisco Baykeeper

California Regional Water Quality Control Board  
Santa Ana Region

ORDER NO. R8-2004-0099  
Amending Order No. 00-1, NPDES No. CA8000027  
Waste Discharge and Producer/User Reclamation Requirements

for

Elsinore Valley Municipal Water District  
Regional Water Reclamation Facility  
Riverside County

The California Regional Water Quality Control Board, Santa Ana Region (hereinafter, Board), finds that:

1. On February 25, 2000, the Board adopted Order No. 00-1, NPDES No. CA8000027, prescribing Waste Discharge and Producer/User Reclamation Requirements for Elsinore Valley Municipal Water District's (EVMWD) Regional Water Reclamation Facility for the discharge of tertiary treated wastewater to Temescal Creek. Order No. 00-1 was amended by Order No. 01-70 on July 20, 2001 to correct some inadvertent omissions.
2. On January 23, 2002, the Board adopted Order No. R8-2002-0008-A02, amending Order No. 00-1 to authorize the implementation of a project that would include the discharge of tertiary treated wastewater from EVMWD's Regional Water Reclamation Facility (RWRP) to Lake Elsinore, and the discharge of groundwater to the Lake from three island wells located at the east end of the Lake. The intent of this project is to provide additional water to Lake Elsinore to increase and help stabilize water levels in the Lake. The volume of recycled water available from EVMWD for supplementing the Lake level is estimated to be 2.0 to 4.0 mgd (2,240 to 4,480 acre-feet per year). When EVMWD is unable to provide this volume of recycled water, the deficit could be filled by the discharge of recycled water by Eastern Municipal Water District (EMWD). The island wells have a production capacity sufficient to provide 3,000 to 5,000 acre-feet of water per year.
3. Order No. R8-2002-0008-A02 prohibited the discharge of recycled water to the Lake beyond February 1, 2004.
4. On March 21, 2003, EVMWD requested that Order No. 00-1 be amended to extend the termination date for the replenishment pilot project from February 2004 to December 2004. The replenishment pilot study was intended to acquire two years of data. However, it was recognized that due to the delayed start and non-discharge period of the project, two years of data would not be available by February 2004. EVMWD requested extension of the replenishment pilot project to allow the collection of data necessary to complete the pilot project and assess the effects of recycled water discharges on the lake.
5. On July 1, 2003, the Board adopted Order No. R8-2003-0067, amending Order No. 00-1 to extend authorization for discharges of recycled water to Lake Elsinore to December 1, 2004.

6. Order No. 00-1 will expire on February 1, 2005. In August 2004, EVMWD submitted a renewal application for waste discharge requirements for its Regional Water Reclamation Facility. The application includes the request that the renewed requirements include authorization for recycled water discharges to Lake Elsinore. Renewal of these waste discharge requirements is expected to be considered at the Regional Board's January 28, 2005 meeting, after the expiration on December 1, 2004 of authorization for discharges of recycled water to Lake Elsinore pursuant to Order No. R8-2003-0067.
7. On October 21, 2004, EVWMD requested that Order No. 00-1, NPDES No. CA8000027 be amended to extend the authorization to discharge recycled water to Lake Elsinore until such time that renewed waste discharge requirements for the Regional Water Reclamation Facility, including authorization for discharges to Lake Elsinore, can be considered.
8. It is expected that the renewed waste discharges requirements for EVMWD's Regional Water Reclamation Facility will include appropriate limitations for discharges of recycled water to the Lake. With respect to the nutrients nitrogen and phosphorus, two constituents of principal concern given the eutrophic nature of the Lake, the limitations are expected to be based on the wasteload allocations and related provisions for recycled water discharges that are specified in the Lake Elsinore Nutrient TMDL. This TMDL establishes schedules for compliance with the wasteload allocations and allows for the implementation of suitable offset programs when compliance with strict numeric limitations based on those allocations is not reasonably feasible.
9. EVMWD has advised Board staff that compliance with the expected nutrient limitations for recycled water discharges to the Lake may not be feasible and is committed to the development and implementation of an acceptable offset program(s). This offset commitment will be reflected in the renewed discharge requirements for EVMWD's Regional Water Reclamation Facility, if, as expected, recycled water discharges to Lake Elsinore are authorized by those requirements. It is expected that implementation of the offset program(s) will be required in accordance with a compliance schedule consistent with the schedules specified in the Lake Elsinore Nutrient TMDL.
10. By letter dated November 3, 2004, EVMWD indicated its commitment to offset nutrient inputs that would result from discharges of recycled water that may be authorized beyond December 1, 2004 by further amendment of Order No. 00-1, before the renewed Reclamation Facility requirements can be considered for adoption. The offsets would be based on the difference between actual recycled water quality and the discharge requirements established in the renewed waste discharge requirements as a mass load. The offset "indebtedness" would begin to accumulate upon resumption of recycled water discharges pursuant to extended permit authorization beyond December 1, 2004. This mass load would be offset by EVMWD via a future offset program that is anticipated to be part of a compliance schedule program requirement included in the renewed waste discharge requirements.

11. It is appropriate to extend authorization for recycled water discharges to Lake Elsinore by EVMWD, in light of the need for recycled water for lake stabilization and long-term water quality and beneficial use improvement purposes, and in view of EVMWD's commitment to provide an acceptable offset for nutrient inputs resulting from these recycled water discharges.
12. In accordance with Water Code Section 13389, amending the waste discharge requirements for this discharge is exempt from those provisions of the California Environmental Quality Act contained in Chapter 3 (commencing with Section 21100), Division 13 of the Public Resources Code.
13. The Board has notified the discharger and other interested agencies and persons of its intent to amend waste discharge requirements for the discharge and has provided them with an opportunity to submit their written views and recommendations.
14. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.

**IT IS HEREBY ORDERED** that Order No. 00-1 as amended by Orders No. 01-70, R8-2002-0008-A02, and R8-2003-0067 be amended as follows:

1. Provisions Section of Order No. 00-1, replace Provision K. 29. with the following:
  29. This Replenishment Pilot Project terminates on January 28, 2005 or on the day an Order replacing Order No. 00-1 is adopted by the Regional Board.
2. Provisions Section of Order No. 00-1, add Provision K. 30. as follows:
  30. EVWMD shall offset total nitrogen and total phosphorus mass discharges into Lake Elsinore in accordance with an offset program(s) and schedule approved by the Executive Officer. The program(s) shall assure the offset of all total nitrogen and total phosphorus mass loads discharged in excess of those allowed pursuant to the recycled water discharge wasteload allocations in the Lake Elsinore Nutrient TMDL. EVMWD shall submit the proposed offset program/schedule by December 6, 2004.
3. All other conditions and requirements of Order No. 00-1, as amended, shall remain unchanged.

I, Gerard J. Thibeault, Executive Officer, do hereby certify that the forgoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, Santa Ana Region, on December 20, 2004.

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Gerard J. Thibeault  
Executive Officer